

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

DEVON MONTGOMERY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-13-1312-D
	)	
GARFIELD COUNTY JAIL, <i>et al.</i> ,	)	
	)	
Defendants.	)	

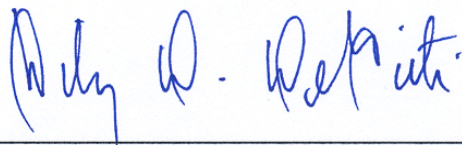
**ORDER OF DISMISSAL**

Before the Court is the Report and Recommendation issued by United States Magistrate Judge Shon T. Erwin pursuant to 28 U.S.C. § 636(b)(1)(B). Judge Erwin recommends a dismissal of this action without prejudice due to Plaintiff's failure to pay the initial partial filing fee of \$20.70 required by 28 U.S.C. § 1915(b)(1). Payment was originally due February 13, 2014, and by subsequent orders, no later than May 21, 2014.

Plaintiff has neither filed a timely objection to the Report nor requested additional time to object, although he was advised of his rights and given notice of the waiver rule. Under the circumstances shown by the case record, the Court finds that Plaintiff has waived further judicial review.

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 13] is adopted in its entirety. The case is DISMISSED WITHOUT PREJUDICE to refiling.

Entered this 14<sup>th</sup> day of July, 2014.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE